

LEGISLATION & INTERGOVERNMENTAL RELATIONS COMMITTEE

AGENDA

April 22, 2002

I. Status on Legislation Supported by the Cook County Board, as recommended by this committee:

HB 215 (Lindner/Dillard) – Allows for an increase in county law library fees from \$10 to \$25.

STATUS: In House. Committee on Rules, 5/31/2001.

HB 280 (Burke/Jones, E) Creates annual affidavit requirements for churches relating to applications for exempt status. Amends the Property Tax Code to provides that in Cook County the board of review shall transmit to the county assessor's office, within 14 days of receipt of an application for exemption from property taxes, a copy of any application that requests exempt status under the religious purposes, orphanages, or school and religious purposes provision; provides that in Cook County, whenever such exempt property is transferred, notice must be filed.

STATUS: Signed by the Governor, Public Act No. 92-333, 8/10/2001.

Note: This session clean-up language on this issue has been placed on Treasurer's bill SB1666, as part of SA#3.

HB 1829 (Madigan/Dillard) – amends the Clerk of the Circuit Court Act to mandate minimum fees, but permitting maximum increases in fees to be collected by the Office of Clerk of the Circuit Court, if authorized by a resolution of the county board.

STATUS: Signed by the Governor, Public Act 92-521, on 2/8/2002.

HB 2392 (Erwin/Rodogno) -a bill to facilitate the payment of accurate property taxes by residential property owners in Cook County, which requires a grantor of property to provide the grantee with an individual permanent index number (P.I.N.) that specifically represents that parcel of property which that grantee has purchased; and provides that if the permanent index number does not represent the legal description of the property, the grantor may supply proof that he or she either filed an application for division of the property with the Cook County Assessor's Office, recorded a plat of subdivision, or recorded a condominium declaration.

STATUS: Signed by the Governor, Public Act 92-450, on 8/21/2001.

HB 2412 (Winkel/Weaver) – Contains language to authorize FPD Board to permit the sale of liquor.

STATUS: Signed by Governor, Public Act 92-52, on 1/1/2002.

HB 3069 (Stroger/Munoz) and **SB 980 (Munoz/Franks)** – Allows Cook County, City of Chicago, and various units of local government in Chicago to collect debts owed to one another via wage garnishment of their respective public employees

STATUS: Signed by the Governor, Public Act 92-109, on 7/20/2001.

HB 3147 (Madigan/Hendon) – Permits the use of in-precinct, automatic tabulating equipment with error detection technology and direct voter insertion; and provides, subject to appropriation, for retroactive reimbursement of up to 100% of the cost of the equipment.

STATUS: In Senate. Committee on Rules, 3/30/2001.

HB 3209 (Hultgren/Walsh, T.) Amends the Freedom of Information Act. Exempts computer graphic systems from disclosure when disclosure could reasonably be expected to produce private gain or public loss. Effective immediately.

STATUS: Signed by Governor, Public Act 92-241, 8/3/2001.

Note: Clarification on system type requested by Governor in signage message is addressed this session in SB 1706.

HB 3247 (Hassert/Parker) and ***SB 991 (Viverito/Madigan)** – FPD bill allowing sale of five surplus parcels, which cumulatively total six acres.

STATUS: SB 991- Signed by Governor, Public Act 92-403, on 8/16/2002.

SB 64 (Silverstein/Hoffman) – Provides for increased fees for DUI and certain drug-related violations, and specifies that these fees be deposited into the Trauma Center Fund and Spinal Cord Injury Paralysis Cure Research Trust Fund.

STATUS: Signed by the Governor, Public Act 92-431, on 8/17/2001.

SB 385 (Dillard/Daniels) – Makes various changes to the Counties Code to allow a reasonable fee to be charged for placing documents on the internet, permits Class I and II counties to provide by ordinance for the county clerk to impose a \$10 charge for issuance of certificates of sale to defray computerization costs, and to allow an increase in the amount a county may charge to enforce certain ordinances, rules and regulations from \$500 to \$750.

STATUS: In House. Committee on Rules, 12/31/2001.

SB 479 (DeLeo/Murphy) – amends the Cook County Article of the Illinois Pension Code to increase the Pension Board from 7 to 9 members. Provides that one of the new members shall be a retirement annuitant under the Cook County fund and the other shall be a retirement annuitant under the Cook County Forest Preserve District fund. Provides that all annuitant members must be retirement (rather than disability) annuitants. Effective immediately.

STATUS: Signed by the Governor, Public Act 92-66, on 7/12/2001.

****SB 484 (Viverito)** – amends the Cook County Article of the Illinois Pension Code to extend to 7/1/2005 the expiration date of the optional plan of additional benefits and contributions.

STATUS: In Senate. Committee on Rules, 3/31/2001.

SB 485 (Viverito) - amends the Cook County Article of the Illinois Pension Code to provide a program of early retirement incentives (ERI Program) for Cook County and Forest Preserve employees who are at age 50 with 20 years of service and opt to retire between 6/1/2002 and 11/30/2002. It permits those qualifying employees to receive up to an additional 10% pension benefit accrual (10% of final average salary, subject to the current 80% maximum.) and removes the reduction in annuity due to retirement before age 60. Note: **HB 3136 (McCarthy/Madigan)** and **HB 2099 (Murphy/Molaro)** Omnibus Pension legislation, which includes all of Cook County's pension article changes.

STATUS: In Senate. Committee on Rules, 3/31/01, 5/12/01, 5/31/2001.

****SB 486 (Viverito)** – amends the Cook County Article of the Illinois Pension Code to increase the retirement formula from 2.2% to 2.4% of average salary for each year of service for all employees with at least 10 years of services (vested employees). *Also increases the widow's annuity to 65% for surviving spouses of members who die on or after 1/1/2001.*

STATUS: In Senate. Committee on Rules, 3/31/2001.

SB 663 (Dillard/Madigan) – Specifically prohibits use of error detection equipment to detect undervoted ballots.

STATUS: In House. Committee on Rules, 5/31/2001

II. Status on Legislation Opposed by the Cook County Board, as recommended by this committee:

SB 356 (Karpel/Pankau) – Provides that an IEPA permit for a waste disposal facility expires after 10 years if the facility has not received waste during such period and, at the time of permitting, the facility was exempt from local siting approval.

STATUS: In House. Committee on Rules, 5/31/2001.

HB 3098 (Dart/Dillard) – Requires a public body to keep verbatim minutes of any closed meeting.

STATUS: Governor Amendatory Veto, 2/8/02; Override-Bill Dead, 3/6/2002.

SB 1014 (Rauschenberger/Hamos) – Provides that bicyclists are permitted and intended users of roadways, and subjects units of local government to liability for willful and wanton misconduct.

STATUS: In House. Committee on Rules, 5/18/2001.

SB 550 (Parker/Parke) and **SR 41 (Klemm)** – Specifies various actions that must be completed before a unit of local government may secure passage of quick-take authority from the General Assembly.

STATUS: SB 550 –In House. Committee on Rules, 4/3/2001.
SR 41 - Resolution Adopted by Senate, 3/8/2001.

HB 859 (Saviano/Syversen) – Prohibits hospitals from requiring nurses to work overtime, and requires hospitals to develop nurse staffing plans through an internal committee composed of 50% nurses.

STATUS: In Senate. Committee on Rules, 5/31/2001.

HB 913 (Ryan/Radogno) – Limits who may be classified as a “managerial employee” under the Public Labor Relations Act.

STATUS: In Senate. Committee on Rules, 3/28/2001.

HB 2380 (Schmitz/O’Malley) – Amends the Public Construction Bond Act and IL Municipal Code to preempt home rule in connection mandated filing of certain financial guarantee instruments for builders and developers. *Preempts home rule, but amended prior to passage to exempt the City of Chicago & Cook County.*

STATUS: Sign by the Governor, Public Act 92-479, on 8/23/2001.

Status on legislation the Committee Deferred Action on:

HB 27 (Leitch/O’Malley) – Amends the Counties Code. Gives townships certain demolition authority, pursuant to application with and order by a court, if a county first declines or fails to act on a formal request by the township. Amends the Township Code. Provides that a township's lien for the cost of demolition, repair, or enclosure becomes effective at the time of filing. Sets forth the procedures a township must follow to enforce the lien. Provides that the provisions allowing a township to demolish, repair, or enclose buildings when the county refuses to act apply only to requests made before January 1, 2006 and proceedings related to those requests. Effective Immediately.

STATUS: Signed by the Governor, Public Act 92-347, 8/15/2001.

SB 977 (Molaro/Mathias) – Provides that amounts collected by the Clerk of the Court, after payment of fines and court costs, shall be used to satisfy the order of restitution before any other disbursements.

STATUS: In House. Committee on Rules, 5/3/2001.

III. **Current Legislation under consideration in Springfield impacting county government:**

A. **COUNTY ELECTED OFFICES**

Cook County Assessor's Office:

SB 1706 AUTHOR: Walsh T/Brosnahan
TITLE: Freedom of Information Act
INTRODUCED: 01/30/2002
LOCATION: House State Government Administration Committee

SUMMARY:

Amends the Freedom of Information Act. Changes the exemption from the Act's inspection and copying requirements for computer graphic systems to an exemption for computer geographic systems.

STATUS:

04/04/2002 To HOUSE Committee on State Government Adm.

NOTES:

Ref. HB3098 signed by Governor last year—requested in message.

Recommended Position: Support.

The following Bill Numbers are not Active, but issue may be amended onto vehicle bills—

HB 4137 AUTHOR: Currie
TITLE: Residential Property Tax Assessment
INTRODUCED: 01/30/2002
LOCATION: House Rules Committee

SUMMARY:

Amends the Property Tax Code. Provides that, with respect to the Property Tax Appeal Board, where property is classified for purposes of taxation and a classification ordinance has been adopted, the correct assessment for property other than residential property of 6 units or less shall be determined by debasing the market value of the subject property by the ordinance level of assessment for that class of property. Removes references to "board of appeals".

STATUS:

04/05/2002 Rereferred to HOUSE Committee on RULES.

Recommended Position: Support amendatory language if vehicle bill is found.

HB 4138 AUTHOR: Currie
TITLE: Commercial Property Tax Assessment Appeals
INTRODUCED: 01/30/2002
LOCATION: House Rules Committee

SUMMARY:

Amends the Property Tax Code. Requires disclosure of certain information in valuation appeals concerning commercial or industrial properties and sets certain requirements when a valuation appeal concerning commercial or industrial property requests a change in assessed value of \$100,000 or more in Cook County.

STATUS:

04/05/2002 Rereferred to HOUSE Committee on RULES.

Recommended Position: Support amendatory language if vehicle bill is found.

Cook County Clerk of the Circuit Court:

HB 4098 AUTHOR: Howard/Trotter
TITLE: Criminal Identification Act
INTRODUCED: 01/29/2002
LOCATION: Senate Rules Committee

SUMMARY:

Amends the Criminal Identification Act and the Unified Code of Corrections. Provides that if a conviction or sentence has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the defendant was factually innocent of the charge, the court shall enter an order expunging the record of arrest from the official records of the arresting authority.

STATUS:

04/04/2002 To SENATE Committee on RULES.

Recommended Position: No Recommendation Given– For Discussion.

SB 1946 AUTHOR: Roskam/Daniels
TITLE: Clerks of Courts Act
INTRODUCED: 02/06/2002
LAST AMEND: 03/05/2002
LOCATION: House Executive Committee

SUMMARY:

Amends the Clerks of Courts Act. Provides that in counties having a population in excess of 650,000 inhabitants but less than 3,000,000 inhabitants and in relation to units of local government and school districts in counties with more than 3,000,000 inhabitants when case records are maintained on an automated medium, the circuit clerk is entitled to certain fees.

STATUS:

04/09/2002 To HOUSE Committee on EXECUTIVE.

Recommended Position: No Recommendation Given– For Discussion.

SB 1971 AUTHOR: Dillard/Daniels

TITLE: Clerks of Courts Act

INTRODUCED: 02/06/2002

LAST AMEND: 03/05/2002

LOCATION: House Executive Committee

SUMMARY:

Provides that in counties having a population in excess of 650,000 inhabitants but less than 3,000,000 inhabitants and in relation to fees charged to units of local government and school districts in counties with more than 3,000,000 inhabitants when a mailing fee is generated using an automated record keeping system, the fee shall be remitted monthly by the clerk to the county treasurer and retained as part of the court automation fund.

STATUS:

04/09/2002 To HOUSE Committee on EXECUTIVE.

Recommended Position: No Recommendation Given – For Discussion.

Cook County Public Guardian:

SB 1949 AUTHOR: Roskam/Hultgren

TITLE: Probate Act

INTRODUCED: 02/06/2002

LAST AMEND: 04/03/2002

LOCATION: House Judiciary I - Civil Law Committee

SUMMARY:

Amends the Probate Act of 1975. Provides that the court may discharge the public guardian of a disabled adult under certain circumstances and transfer the guardianship to the State guardian; provides for court affidavits; provides for reasonable fees.

STATUS:

04/05/2002 To HOUSE Committee on JUDICIARY I - CIVIL LAW.

Recommended Position: OPPOSE, if Cook not exempted from new provisions.

Would requires quarterly (now annual) fee petitions to Court by Public Guardian. est. increase in petition fees by 1200 annually Probate Court Judge and Public Guardian rec. exempting Cook County from new fee petition requirements

Cook County Sheriff:

HB 1961 AUTHOR: Dart/Rodagno
TITLE: Transitional Treatment Programs for Women
INTRODUCED: 02/16/2001
LAST AMEND: 03/16/2001
COMMITTEE: Senate Judiciary Committee
HEARING: 04/23/2002 1:00 pm

SUMMARY:

Relates to the Unified Code of Corrections; provides that the sheriff in a county with more than 3 million inhabitants, with the approval of the county Board, may operate a residential and transitional treatment program for women established by the Department of Corrections; provides that the program is an alternative to imprisonment for certain specified nonviolent felonies; provides further eligibility and administrative details.

STATUS:

04/17/2002 To SENATE Committee on JUDICIARY.

RECOMMENDED POSITION: No Recommendation, Fiscal Concerns given by Judicial Advisory Council. – For Discussion

HB 5831 AUTHOR: Brosnahan/Molaro
TITLE: Juvenile Court Act of 1987
INTRODUCED: 02/07/2002
LOCATION: Senate Rules Committee

SUMMARY:

Amends the Juvenile Court Act of 1987. Provides that probation officers shall be considered peace officers. Provides that in the exercise of their official duties, probation officers, sheriffs, and police officers may, anywhere within the State, arrest any minor who is in violation of any conditions of his or her probation, continuance under supervision, or informal supervision.

STATUS:

04/10/2002 To SENATE Committee on RULES.

RECOMMENDED POSITION: No Recommendation. Fiscal Concern have been given by Judicial Advisory Council and Administration – For Discussion

The following Bill No. is Dead, but issue may be amended onto vehicle bill—

HB 5943 AUTHOR: Dart
TITLE: Illinois Vehicle Code
INTRODUCED: 02/11/2002
LOCATION: House Rules Committee

SUMMARY:

Amends the Illinois Vehicle Code. Provides that a person convicted of driving a motor vehicle on a revoked or suspended license shall serve a minimum term of imprisonment of 14 consecutive days or 60 days of community service regardless of the circumstances for which the driver's license was revoked or suspended. Amends the Criminal Code of 1961. Provides that the person's motor vehicle is subject to seizure by the county sheriff and forfeiture. Provides that the proceeds of the sale of a forfeited vehicle shall be used by the Sheriff for creation and funding of programs for education about and the prevention of driving a motor vehicle under the influence of alcohol or other drugs.

STATUS:

04/05/2002 Rereferred to HOUSE Committee on RULES.

RECOMMENDED POSITION: No Recommendation – For Discussion relative to mandated use of fund revenue by Sheriff's Office.

Cook County State's Attorney:

HB 136 AUTHOR: Schoenberg/Silverstein
TITLE: Conspiracy Crimes
INTRODUCED: 01/10/2001
COMMITTEE: Senate Judiciary Committee
HEARING: 04/23/2002 1:00 pm

SUMMARY:

Provides that conspiracy against civil rights is a Class 4 felony; provides that hate crime is a Class 3 felony; provides that a person convicted of any second or subsequent conviction for hate crime or institutional vandalism is ineligible for probation, conditional discharge, or periodic imprisonment; makes it a factor for the court to impose an extended term sentence.

STATUS:

04/17/2002 Committee on SENATE JUDICIARY: Held in committee.

RECOMMENDED POSITION: SUPPORT.

HB 3688 AUTHOR: Acevedo/Munoz
TITLE: False Reports of Terrorism
INTRODUCED: 11/16/2001
LOCATION: Senate Rules Committee

SUMMARY: Penalty enhancement for threats of terrorism.

Provides for restitution to victim total actual out of pocket expenses, losses, damages or injuries.

Amends the Criminal Code of 1961; creates the offense of making a false report of terrorism or other danger, transmitting or causing to be transmitted a false communication concerning the concealment of bombs or explosives, or of containers holding poison gas, or certain deadly biological or chemical contaminants, or radioactive substances relating to a terrorist

act.

STATUS:

04/03/2002 To SENATE Committee on RULES.

RECOMMENDED POSITION: SUPPORT.

HB 5140 AUTHOR: Lyons E/Rodogno

TITLE: Unified Child Support Services Act

INTRODUCED: 02/06/2002

LAST AMEND: 04/04/2002

COMMITTEE: Senate Public Health and Welfare Committee

HEARING: 04/23/2002 9:00 am

SUMMARY:

Relates to the Unified Child Support Services Act; delegates to the State Attorney responsibility with respect to child support parentage establishment, support establishment, medical support establishment, support modification, and support enforcement; authorizes the Department of Public Aid to contract for management of child support services in counties where the District Attorney is not operating such a program.

STATUS:

04/17/2002 To SENATE Committee on Public Health/Welfare.

Recommended Position: OPPOSE. Unfunded State Mandate.

SB 1917 AUTHOR: Molaro/Yarbrough

TITLE: Juvenile Court Act

INTRODUCED: 02/06/2002

LAST AMEND: 04/03/2002

COMMITTEE: House Judiciary II - Criminal Law Committee

HEARING: 04/18/2002 10:00 am

SUMMARY:

Amends the Juvenile Court Act of 1987. Provides that once all parties-respondent have been properly served, no further service or notice must be given to a party prior to proceeding to a dispositional hearing in relation to an abused, neglected, or dependent minor. Makes a technical change in the bill.

STATUS:

04/09/2002 To HOUSE Committee on JUDICIARY II – Criminal.

Recommended Position: Support.

County Treasurer's Office:

HB 3734 AUTHOR: Osmond/Geo-Karis

TITLE: Public Funds Accounting Act

INTRODUCED: 01/09/2002

LOCATION: Senate Third Reading

SUMMARY:

Amends the Public Funds Accounting Act. Authorizes the treasurer

of any public or municipal corporation to use an electronic funds transfer as a method of disbursement.

STATUS:

04/17/2002 In SENATE. Read second time.

04/17/2002 In SENATE. Placed on Calendar Order Third Reading.

Recommended Position: Support.

SB 1666 AUTHOR: Cullerton/Biggins

TITLE: Property Tax Code

INTRODUCED: 01/30/2002

LAST AMEND: 04/03/2002

COMMITTEE: House Revenue Committee

HEARING: 04/18/2002 10:00 am

NOTICE: Subcommittee on Property Taxation

SUMMARY:

Amends the Property Tax Code. Provides that when the county collector discovers that a tax sale should not have occurred, he or she shall notify the tax purchaser or subsequent holder of a certificate of purchase of intent to declare an administrative sale in error. Provides for a registry of owners of certificate of purchase to be maintained by the county clerk; makes provisions regarding tax sales.

STATUS:

04/09/2002 To HOUSE Committee on REVENUE.

Recommended Position: Support.

SB 1668 AUTHOR: Cullerton/Hamos

TITLE: Property Tax Code

INTRODUCED: 01/30/2002

COMMITTEE: House Revenue Committee

HEARING: 04/18/2002 10:00 am

NOTICE: Subcommittee on Property Taxation

SUMMARY:

Amends the Property Tax Code. In provisions requiring a person to deposit with the county collector a letter of credit or other unconditional bond in an amount not less than 1.5 times the amount of any tax or special assessment due upon property the person intends to purchase at a tax sale, provides that in no event shall the letter of credit or other unconditional bond be in an amount less than \$1,000.

STATUS:

04/09/2002 To HOUSE Committee on REVENUE.

Recommended Position: Support.

The following Bill Nos. are Dead, but issues may be amended onto vehicle bill—

HB 3733 AUTHOR: Osmond

TITLE: Property Tax Code

INTRODUCED: 01/09/2002

LOCATION: HOUSE

SUMMARY:

Amends the Property Tax Code; Provides that the county collector shall mail a notice of the forthcoming application for judgement and sale of property for which taxes are delinquent to the current owner of record.

STATUS:

01/09/2002 INTRODUCED.

01/09/2002 To HOUSE Committee on RULES.

Recommended Position: Support, amendatory language if vehicle bill found.

IL H 3751 AUTHOR: Osterman

TITLE: Erroneous Assessment Refund

INTRODUCED: 01/10/2002

LOCATION: House Rules Committee

SUMMARY:

Amends the Property Tax Code; provides that when a refund for an erroneous assessment or overpayment is sought by a third party on behalf of a taxpayer and that third party seeks compensation for obtaining a refund compensation to the third party is limited to a maximum of 20% of the refund.

STATUS:

01/10/2002 INTRODUCED.

01/10/2002 To HOUSE Committee on RULES.

Recommended Position: Support, amendatory language if vehicle bill found.

IL H 3752 AUTHOR: Osterman

TITLE: Scavenger Sale Registration

INTRODUCED: 01/10/2002

LOCATION: House Rules Committee

SUMMARY:

amends the Property Tax Code; changes the fee to register with the county collector to bid at a scavenger sale in counties of less than 3,000,000 inhabitants from \$50 to \$125 and in counties of 3,000,000 or more inhabitants from \$100 to \$250.

STATUS:

02/22/2002 Rereferred to HOUSE Committee on RULES.

Recommended Position: Support, amendatory language if vehicle bill found.

IL H 3753 AUTHOR: Osterman

TITLE: Administrative Sale In Error

INTRODUCED: 01/10/2002

LOCATION: House Rules Committee

SUMMARY:

Amends the Property Tax Code; provides that when the county collector discovers through his or her own investigation that a tax sale should not have occurred for one or more of certain reasons itemized, the county collector shall notify the tax purchaser or subsequent holder of a certificate of purchase that he or she intends to declare an administrative sale in error.

STATUS:

01/10/2002 INTRODUCED.

01/10/2002 To HOUSE Committee on RULES.

Recommended Position: Support, amendatory language if vehicle bill found.

SB 1667 AUTHOR: Cullerton

TITLE: Property Tax Code

INTRODUCED: 01/30/2002

LOCATION: Senate Rules Committee

SUMMARY:

Amends the Property Tax Code. Changes the fee to register with the county collector to bid at a scavenger sale in counties of less than 3,000,000 inhabitants from \$50 to \$125 and in counties of 3,000,000 or more inhabitants from \$100 to \$250.

STATUS:

03/08/2002 Rereferred to SENATE Committee on RULES.

Recommended Position: Support, amendatory language if vehicle bill found.

B. CRIMINAL & COURT

HB 3717 AUTHOR: Daniels/Dillard

TITLE: Genetic Marker Groupings Categorization

INTRODUCED: 01/07/2002

COMMITTEE: Senate Judiciary Committee

HEARING: 04/23/2002 1:00 pm

SUMMARY:

Permits the Department of State Police to require the submission of saliva or tissue specimens as well as blood specimens to the Department for analysis and categorizing into genetic marker groupings; requires the specimens to be submitted by persons convicted or found guilty of an offense classified as a felony; requires a person incarcerated in a Department of Corrections facility to submit the specimens before his or her release on parole.

STATUS:

04/17/2002 SENATE Committee on JUDICIARY: Action Postponed.

SB 2024 AUTHOR: Dillard/Daniels
TITLE: Unified Code of Corrections
INTRODUCED: 02/07/2002
LAST AMEND: 04/03/2002
COMMITTEE: House Judiciary II - Criminal Law Committee
HEARING: 04/18/2002 10:00 am

SUMMARY:

Amends the Unified Code of Corrections. Permits the Department of State Police to require the submission of saliva, tissue specimens, and blood specimens to the Department for analysis and categorizing into genetic marker groupings. Requires the specimens to be submitted by persons convicted or found guilty of an offense classified as a felony; provides that the genetic marker grouping analysis information shall only be used for investigation of crime.

Note: Chicago Police Supt. Hillard, IL Police & States Attorney Assoc initiative to collect genetic id of felons for public safety on current & future id of criminal cases in order to protect wrongfully accused & find parolees or convicted felons.

STATUS:

04/09/2002 To HOUSE Committee on JUDICIARY II – Criminal.

Recommended Position: JAC OPPOSES, due to fiscal concern—Unfunded State Mandate if bill not clarified to say state pays significant cost associated with such a program, not county. Language to make more specific not accepted due to state budget concerns.

HB 4103 AUTHOR: Howard/DeLeo
TITLE: Criminal Justice Information Act
INTRODUCED: 01/29/2002
LAST AMEND: 04/01/2002
COMMITTEE: Senate Executive Committee
HEARING: 04/24/2002 1:00 pm

SUMMARY:

Amends the Illinois Criminal Justice Information Act. Provides that the Illinois Criminal Justice Information Authority shall establish a grant program titled the Illinois Ex-Offenders Employment Stabilization Pilot Program. Applies to local governments where the number of residents under State community correctional supervision is 10,000 or more and with recidivism rate of 25% or more. Provides that the Authority may discontinue the program if the program fails to meet its objectives.

Provides the appointment of an Ex-Offenders Employment Stabilization Pilot Program Advisory Board, which shall prepare and recommend rules for the program, determine criteria and procedures for grant awards review grant applications, and make recommendations to the Authority concerning grant awards.

Sets requirements for grant proposals.

Provides that funds may be appropriated to the Authority to pay its costs of administering the program. Effective immediately.

CORRECTIONAL NOTE (Illinois Department of Corrections)

No new incarceration sanctions or enhanced incarceration penalties are associated with this offense. Therefore, there is no corrections population or fiscal impact on the Department.

FISCAL NOTE, H-AM 1

(Illinois Criminal Justice Information Authority)

It is difficult to determine the fiscal impact of HB 4103, as amended, at this time. The amount of funds needed for grant programs would be dependent on the decisions of the Ex-Offenders Employment Stabilization Advisory Board that would be created by the bill. It is also difficult at this time to determine the necessary administrative costs. These costs will be dependent on the amount of grant funds available, and the number and complexity of grants to be administered. For federal grant programs administered by the Authority, 7% to 10% of grant funds are normally needed to properly administer a program.

HOUSE AMENDMENT NO. 5.

Deletes everything. Reinserts the provisions of House Amendment No. 1 with the following changes: changes the composition of the Advisory Board; provides that the grant proposal requirements are not limited to those specified; provides that the purpose is to assist qualified individuals; provides that expenditure of funds is subject to appropriation; and repeals the new provisions on December 31, 2007. Effective immediately.

STATUS:

04/17/2002 To SENATE Committee on EXECUTIVE.

Recommended Position: Neutral, For Discussion.

HB 4124 AUTHOR: Jefferson/Dillard

TITLE: Juvenile Sex Offenders

INTRODUCED: 01/29/2002

LAST AMEND: 04/04/2002

LOCATION: Senate Rules Committee

SUMMARY:

Court mandate to order evaluations & counseling for minors who are found guilty of sex offenses as a condition of probation or conditional discharge.

Amends the Juvenile Court Act of 1987; requires any minor found guilty of a sex offense shall be required to submit to an examination in conformance with standards of the Sex Offender Management Board Act; requires a juvenile offender placed on probation or conditional discharge to complete sex offender treatment; makes provisions regarding parole or mandatory supervised release.

STATUS:

04/16/2002 To SENATE Committee on RULES.

**Recommended Position: OPPOSE, due to fiscal concern—
Unfunded State Mandate.**

HB 4439 AUTHOR: Turner A/Ronen
TITLE: Juvenile Court Act
INTRODUCED: 01/31/2002
LOCATION: Senate Rules Committee

SUMMARY:

Amends the Juvenile Court Act of 1987. Provides that persons 17 years of age and older who have a petition of delinquency filed against them may (rather than shall) be confined in an adult detention facility.

STATUS:

04/04/2002 To SENATE Committee on RULES.

Recommended Position: SUPPORT. Gives Court and Counties discretion regarding Juveniles charged with minor, non-violent drug cases who currently are automatically transferred to adult court and sit in jail for longer stays than if tried in Juvenile Court. Could have a positive fiscal impact on public safety budget.

C. ELECTIONS

HB 5646 AUTHOR: Lyons E/Dudycz
TITLE: Automatic Vote Tabulating Equipment
INTRODUCED: 02/06/2002
LAST AMEND: 04/16/2002
LOCATION: Senate Third Reading

Deletes everything. Amends the Election Code. Authorizes election authorities to use in-precinct automatic vote tabulating equipment. Establishes procedures for the use of that equipment. Requires that if the equipment is used, a voter must insert the ballot into the equipment unless the voter is otherwise entitled to assistance in marking his or her ballot. Requires that the equipment have voting defect identification capability that returns to the voter a ballot with a voting defect. Defines a voting defect as an overvoted ballot or a ballot that cannot be read by the automatic tabulating equipment. Effective immediately.

****Clerk's Office Noted FYI Issue**—Current discussions state & federal legislation addressing federal mandate for Touch Screen (DRE) Voting Equipment for blind voters use. Federal appropriation 90 to 100% funding under discussion.

D. FOIA AND OPEN MEETINGS

HB 3682 AUTHOR: Bassi/Jones, W.
TITLE: Security Procedures Closed Meetings
INTRODUCED: 11/15/2001
LAST AMEND: 04/02/2002
LOCATION: Senate Rules Committee

SUMMARY: Open Meetings Act & FOIA exemption.

Amends the Open Meetings Act. Allows closed meetings to consider security procedures with respect to dangers to the public.

STATUS:

04/04/2002 To SENATE Committee on RULES.

Recommended Position: Support.

SB1756 AUTHOR: Cullerton
 TITLE: Open Meetings Act
 INTRODUCED: 02/05/2002
 LAST AMEND: 04/03/2002
 LOCATION: House Second Reading

SUMMARY:

Amends the Open Meetings Act; requires that a public body post its agenda at least 48 hours before a regular meeting; applies the Web site posting requirement to those public bodies whose staff maintains the Web site.

STATUS:

04/18/2002 In HOUSE. Placed on Short Debate Calendar Second

Recommended Position: Neutral. FYI Only.

E. HEALTH/PUBLIC HEALTH

HB 4414 AUTHOR: Davis M/Trotter
 TITLE: Lead Poisoning Prevention Act
 INTRODUCED: 01/31/2002
 LOCATION: Senate Rules Committee

SUMMARY:

Amends the Lead Poisoning Prevention Act. Requires physicians and health care providers to conduct lead poisoning screening for girls age 13 or older, for pregnant women and for women who are nursing an infant. Requires the Department to make educational materials available to residents of areas defined as high risk for lead poisoning.

STATUS:

04/09/2002 To SENATE Committee on RULES.

Recommended Position: OPPOSE, due to fiscal concern.

Note: CC DoPH estimates \$16M cost for WIC reimbursement necessary. IL Dept. of Public Health est. 170,000 new cases @ cost of \$27M; ISMS, IDPH, IDPA opposed in committee.

HB 6032 AUTHOR: Krause
 TITLE: Fairness in Health Services Contracting Law
 INTRODUCED: 02/11/2002
 LAST AMEND: 02/22/2002
 LOCATION: Senate Rules Committee

SUMMARY:

Amends the Insurance Code. Creates the Fairness in Health Services Contracting Law.

STATUS:

04/16/2002 To SENATE Committee on RULES.

Recommended Position: Shell Bill. Issue Discussion Only.

F. LEGAL/TORT

HB 4091 AUTHOR: Righter/Trotter

TITLE: Tort Immunity Act

INTRODUCED: 01/29/2002

LOCATION: Senate Rules Committee

SUMMARY:

Amends the Local Governmental and Governmental Employees Tort Immunity Act. Provides that no action for damages for injury or death arising out of patient care may be brought against a local entity or public employee more than 2 years (instead of 1 year) after the claimant knew or should have known of the injury or death, but in no event more than 4 years after the act alleged to have caused the injury or death. Applies to pending actions.

STATUS: 04/09/2002 In SENATE, Committee on RULES.

Recommended Position: OPPOSE.

Same as HB543 introduced and failed in Spring 2001 session, which County opposed.

Bill re-initiates the dissenting opinion of an Illinois Supreme Court Decision that affirmed the current 1 yr. time frame limitation.

HB 4354 AUTHOR: Winkel/Jacobs

TITLE: Governmental Employees Tort Immunity Act

INTRODUCED: 01/31/2002

LAST AMEND: 02/15/2002

COMMITTEE: Senate Judiciary Committee

HEARING: 04/23/2002 1:00 pm

SUMMARY:

Amends the Local Governmental and Governmental Employees Tort Immunity Act. Provides that a local public entity may indemnify an employee or former employee for attorney's fees incurred in defending a claim or action instituted against the employee based on an injury allegedly arising out of an act or omission occurring within the scope of employment.

FISCAL NOTE (Attorney General Office)

Fiscal impact is unknown, but there probably would be none.

STATUS:

04/17/2002 To SENATE Committee on JUDICIARY.

Recommended Position: NEUTRAL.

G. LOCAL REGULATORY AUTHORITY/HOME RULE PRE-EMPTION

SB 2155 AUTHOR: Burzynski/Bost

TITLE: Premises Liability Act

INTRODUCED: 02/07/2002

LAST AMEND: 04/03/2002

LOCATION: House Judiciary I - Civil Law Committee

SUMMARY:

Amends the Premises Liability Act. Provides that an owner or operator of an off-road riding facility, a facility used for recreational activities or sporting events is not criminally liable for any noise emission and is not subject to a nuisance or trespass action based on noise emissions. Provides that an off-road riding facility is a thoroughfare across land or snow used for off-highway motorcycles as well as all-terrain vehicles.

STATUS:

04/05/2002 To HOUSE Committee on JUDICIARY I - CIVIL LAW.

Recommended Position: OPPOSE. Removes authority to issue and enforce local citations for such premises.

H. LABOR / PUBLIC EMPLOYEES

HB 101 AUTHOR: McKeon

TITLE: Human Rights Act

INTRODUCED: 01/10/2001

COMMITTEE: Senate Executive Committee

HEARING: 04/24/2002 1:00 pm

SUMMARY:

Amends the Human Rights Act; provides that nothing in the Act shall be construed as requiring any employer, employment agency, or labor organization to give preferential treatment or special rights or implement affirmative action policies or programs based on sexual orientation; provides that discrimination against a person because of his or her sexual orientation constitutes unlawful discrimination under this Act.

STATUS:

04/18/2002 Committee on SENATE EXECUTIVE: Postponed in committee.

Recommended Position:

HB 5831 AUTHOR: Brosnahan/Molaro

TITLE: Juvenile Court Act of 1987

INTRODUCED: 02/07/2002

LOCATION: Senate Rules Committee

SUMMARY:

Amends the Juvenile Court Act of 1987. Provides that probation officers shall be considered peace officers. Provides that in the exercise of their official duties, probation officers, sheriffs, and police officers may, anywhere within the State, arrest any minor who is in violation of any conditions of his or her probation, continuance under supervision, or informal supervision.

STATUS:

04/10/2002 To SENATE Committee on RULES.

Recommended Position: OPPOSE. Unfunded State Mandate.

Based on Administration fiscal analysis, if passed bill would lead to higher salaries and pension costs negatively impacting the County Budget.

HB 5889 AUTHOR: Dart/No Senate Sponsor Yet
TITLE: Unified Code of Corrections
INTRODUCED: 02/08/2002
LAST AMEND: 04/04/2002
LOCATION: SENATE

SUMMARY:

Amends the Unified Code of Corrections. Provides that staff ratios and staff assignments for correctional institutions and facilities must be determined using criteria that include level of security of the institution or facility, architectural design of the institution or facility, safety of correctional staff, and classification and characteristics of the prisoner population at the institution or facility.

STATUS:

04/05/2002 Passed HOUSE. *****To SENATE.

Recommended Position: OPPOSE. Unfunded State Mandate.

Mandates specific staff ratio to prisoners at county correctional facilities

I. QUICK-TAKE

SB 2294 AUTHOR: Klemm/Hannig
TITLE: Code of Civil Procedure
INTRODUCED: 02/07/2002
LAST AMEND: 03/07/2002
COMMITTEE: House Executive Committee
HEARING: 04/24/2002 10:00 am

SUMMARY:

Amends the Code of Civil Procedure. *Provides that a unit of local government that proposes to acquire property by using "quick-take" eminent domain powers must comply with certain procedures.* Grants "quick-take" eminent domain powers to the village of Baylis for 12 months for the acquisition of certain property in Pike County for the purpose of constructing a sewer project.

STATUS:

04/09/2002 To HOUSE Committee on RULES.

Recommended Position: FOR DISCUSSION.

J. REVENUE / FINANCE

SB 1760 AUTHOR: Rauschenberger/Righter
TITLE: Retailers' Occupation Tax Act
INTRODUCED: 02/05/2002
LAST AMEND: 04/03/2002
COMMITTEE: House Revenue Committee
HEARING: 04/18/2002 10:00 am
NOTICE: Subcommittee on Sales and Other Taxation

SUMMARY:

Amends the Retailers' Occupation Tax Act. Changes the deduction for building materials to be incorporated into real estate in an enterprise zone to a deduction to the purchaser who presents to a retailer a Certificate of Eligibility for Sales Tax Exemption; requires the retailer to obtain a certification from the purchases that the materials will be used in the enterprise zone.

STATUS:

04/09/2002 To HOUSE Committee on REVENUE.

Recommended Position: For Discussion.

K. TOWNSHIPS

HB 3773 AUTHOR: Righter/Myers
TITLE: Public Graveyards Act
INTRODUCED: 01/10/2002
LAST AMEND: 02/15/2002
LOCATION: Senate Third Reading

SUMMARY:

Amends the Public Graveyards Act; removes the monetary limit on the amount of township funds that may be used on neglected township cemeteries; authorizes a township to use township funds for maintenance of a non-profit cemetery or a cemetery owned by the State or another unit of local government; provides that townships may appropriate funds for maintenance of non-profit cemeteries, but not for religious or sectarian purposes.

STATUS:

04/17/2002 In SENATE. Read second time.

04/17/2002 In SENATE. Placed on Calendar Order Third Reading.

Recommended Position: SUPPORT.

L. ZONING & BUILDING

HB 4023 AUTHOR: Slone/Rauchenberger
TITLE: Local Planning Technical Assistance Act
INTRODUCED: 01/29/2002
LAST AMEND: 04/01/2002
COMMITTEE: Senate Executive Committee
HEARING: 04/24/2002 1:00 pm

SUMMARY:

Creates the Local Planning Technical Assistance Act. Requires the Department of Commerce and Community Affairs to promote the principles of sensible planning. Allows the Department to make grants to counties and municipalities to develop, update, administer, and implement comprehensive plans, subsidiary plans, land development regulations, and development incentives that conform to the principles of sensible planning. Provides grant criteria.

STATUS:

04/17/2002 To SENATE Committee on EXECUTIVE.

Recommended Position: FYI Only.

M. VETERANS

HB 2742 AUTHOR: Boland/No Senate Sponsor Yet

TITLE: Income Tax Act

INTRODUCED: 02/27/2001

LAST AMEND: 11/28/2001

LOCATION: Senate Rules Committee

SUMMARY:

Relates to the Illinois Income Tax Act; creates the Income Tax Act to create the Military Family Relief Fund checkoff; provides that the Department of Military Affairs shall have the power to make grants to families of persons who are members of the National Guard or residents who have been called to active duty as a result of the September 11 terrorist attacks.

STATUS:

01/09/2002 To SENATE Committee on RULES.

Position: CCB passed Resolution in Support. Status Update Only.

IL H 5823 AUTHOR: Capparelli

TITLE: Service Mens Employment Tenure Act

INTRODUCED: 02/07/2002

LAST AMEND: 02/22/2002

COMMITTEE: Senate Executive Committee

HEARING: 04/24/2002 1:00 pm

SUMMARY:

Amends the Service Men's Employment Tenure Act and Civil Relief Act. Provides that a person who is a member of the Illinois National Guard and who is called to active status shall be accorded all of the rights and privileges under the laws of this State that are accorded to federal military personnel under the Soldiers and Sailors Civil Relief Act of 1940 if the person called to active status complies with the notice procedures set forth the Act.

STATUS:

04/17/2002 To SENATE Committee on EXECUTIVE.